

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

DIGITAL MEDIA SOLUTIONS, LLC,	)	
	)	Case No. 1:19-cv-00145
<i>Plaintiff,</i>	)	
	)	Judge Dan Aaron Polster
v.	)	
	)	Magistrate Judge Thomas M. Parker
SOUTH UNIVERSITY OF OHIO, LLC <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	
	)	

**SETTLEMENT ADMINISTRATOR’S NOTICE OF INTENT TO OPPOSE**

Pursuant to the Court’s order of November 22, 2019, Thomas J. Perrelli, Settlement Administrator by Consent Judgment in *Kentucky v. Education Management Corporation*, No. 15-CI-1201 (Ky. Cir. Court Nov. 16, 2015) and related cases (“Settlement Administrator”), hereby provides notice that the proposed Bar Order at Dkt. No. 466-1, filed and served on November 20, 2019, does not resolve the Settlement Administrator’s concerns.

Specifically, the Settlement Administrator objects to paragraphs 15 through 18 of the proposed Bar Order and related provisions. Among other things, the proposed Bar Order raises serious constitutional issues regarding this Court’s jurisdiction over final state court judgments and purports to affect the rights and authority of dozens of State Attorneys General who are not parties to this action. Further, the proposed Bar Order purports to make a final determination on the merits regarding rights and claims of non-parties and non-settling parties. *See* Fed. R. Civ. P. 54(b). The proposed Bar Order does all of this at the expense of students who have been defrauded. The gravity and complexity of these issues, and other potential legal objections to the proposed Bar Order, merit full briefing and opportunity for effective participation by interested parties.

The Settlement Administrator therefore intends to file a memorandum opposition and respectfully requests a briefing schedule pursuant to Local Rule 7.1.

Respectfully submitted,

DATED: November 22, 2019

/s/ Richard N. Selby, II

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*Attorneys for Intervenor*  
*Thomas J. Perrelli, Settlement Administrator*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 22, 2019 a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Richard N. Selby, II

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